

5000.3470 IDENTIFICATION OF PROBLEM AREAS.

Subpart 1. **Analysis.** Paying particular attention to trainees and those categories listed in part 5000.3450, subpart 2, an in-depth analysis of the following shall be made:

- A. composition of the work force by minority group status and sex;
- B. composition of applicant flow by minority group status and sex;
- C. the total selection process including position descriptions, position titles, worker specifications, application forms, interview procedures, test administration, test validity, referral procedures, final selection process, and similar factors;
- D. transfer and promotion practices;
- E. facilities, company sponsored recreation and social events, and special programs such as educational assistance;
- F. seniority practices and seniority provisions of union contracts;
- G. apprenticeship programs;
- H. all company training programs, formal and informal;
- I. work force attitude; and
- J. technical phases of compliance, such as poster and notification to labor unions, retention of applications, or notification to subcontractors.

Subp. 2. **Problem areas.** If any of the following items are found in the analysis, corrective action shall be taken:

- A. an "underutilization" of minorities or women in specific job groups;
- B. lateral or vertical movement of minority or female employees occurring at a lesser rate (compared to work force mix) than that of nonminority or male employees;
- C. the selection process which eliminates a significantly higher percentage of minorities or women than nonminorities or men;
- D. application or employment forms not in compliance with local, state, or federal law;
- E. position descriptions inaccurate in relation to actual functions and duties;
- F. formal or scored selection procedures that are not validated;
- G. referral ratio of minorities or women to the hiring supervisor or manager which indicates a significantly higher percentage rejected as compared to nonminority and male applicants;
- H. minorities or women excluded from or not participating in company sponsored activities or programs;

- I. de facto segregation exists at some facilities;
- J. seniority provisions that contribute to overt or inadvertent discrimination, that is, a disparity by minority group status or sex exists between length of service and types of jobs held;
- K. nonsupport of company policy by managers, supervisors, or employees;
- L. minorities or women underutilized or significantly underrepresented in training or career improvement programs;
- M. no formal techniques established for evaluating the effectiveness of equal employment opportunity programs;
- N. lack of access to suitable housing inhibits recruitment efforts and employment of qualified minorities;
- O. lack of suitable transportation, public or private, to the workplace inhibits minority employment;
- P. purchase orders do not contain equal employment opportunity clause; and
- Q. posters not on display.

Statutory Authority: *MS s 363.074; 363A.37*

History: *9 SR 2748*

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